

1888-025 Chancery Causes: Dixon S. Litton vs. Alexander L. Loyd &
Lee Co.

Daugherty, Burchett, Keller, Dinkens, Crabtree, Worley, Ferguson,
Warren, Pennington, Phillips, Morgan

1 Plat

CA-Estate Dispute
T-Property

To the Hon, H. S. K. Merison Judge of the Circuit Court of Lee County Virginia:

Humbly complaining your Orator Dixon S. Litten would respectfully represent, that about the day of 1855 One Isaac Daugherty departed this life intestate in said county of Lee, unmarried and without issue, and at his death he was the owner in fee and in the possession of a valuable tract of Land lying in said county of Lee, and on Station Creek on the north side of Wallens Ridge, adjoining the lands of your Orator, A. S. Lloyd M. F. Litten & others and it contains about 81 or 82 acres be the same more or less.

Your Orator further states that while the said Isaac Daugherty left no children as his heirs at law, yet he had six brothers and sisters, and the descendants of such of them as had died who are his heirs at law to wit, Nicholas Daugherty, Henry Daugherty, Joseph Daugherty, Elizabeth Daugherty who intermarried with one Salmon Dinkens, Susan Daugherty who intermarried with one Morton Crabtree & Rhoda Daugherty who intermarried with James Worley.

Your Orator further states that said Nicholas Daugherty many years ago left this county and went to some one of the far western States, where he died, intestate leaving children his heirs at law, whose names and the number thereof is unknown. The said Dinkens and wife likewise many years ago moved to the far west, where they both died leaving children, but the number, and the names thereof are unknown.

Your Orator further states that said Morton Crabtree

and Susan his wife many years ago moved to the western States where they both died, leaving three children their heirs at law, to wit, Joseph Crabtree, Charles R. Crabtree and James Crabtree.

The said Henry Daugherty also died leaving him children his heirs at law to wit James Daugherty, Nathaniel C. Daugherty, Henry W. Daugherty, William Daugherty, Mariah Daugherty who married Aches Birchett, Lucy Daugherty who married G. W. Ferguson, Susan Daugherty who married Jerome Warren & the latter now dead, Barbry J. Daugherty who married Wm. Pennington & Rhoda Daugherty who married Francis M. Phillips.

The said Henry W. Daugherty died intestate, leaving only one child his heir at law to wit Ennit Daugherty.

The said Mariah and Aches Birchett are both dead but they left 7 children their heirs at law to wit, Jasper Birchett, Abigail Birchett, Mary Birchett, James Birchett, George Birchett, Nathaniel C. Birchett & Lucy Birchett now the wife of Keller, all of whom as your Orator is informed are infants under 21 years of age.

Your Orator states that the said real estate of the said Isaac Daugherty at his death descended to his brothers & sisters, and their descendants before mentioned.

Your Orator now states that he has become the owner of One Sixth of said real estate, by purchase from James Henry and Rhoda his wife as shown by the copy of the deed of conveyance to him herewith filed marked (A.)

Your Orator further states that the said Joseph Crabtree &

Charles R. Crabtree have sold and conveyed their undivided interest in said real estate, to Millard F. Litten your orator's son, & by this purchase he became the owner of $\frac{2}{3}$ of $\frac{1}{6}$ thereof.

The said M. F. Litten has also purchased from Mr. Pennington wife and Francis M. Phillips and wife their undivided interest in said real estate which consists of two sixths of one sixth, so that said M. F. Litten is now the owner of $\frac{8}{9}$ of one sixth part of said real estate.

One A. L. Loyd has purchased from said Joseph Daugherty his undivided interest in said real estate, & by this purchase said Loyd has become the owner of One sixth part thereof.

One Samuel P. Daugherty has purchased from said James Crabtree his one third of One sixth part of said real estate. And he has also purchased from said James Daugherty Nathaniel B. Daugherty, William Daugherty, Emitt Daugherty Susan Warren and G. W. Ferguson wife's interest in said real estate. By this last purchase he has acquired $\frac{5}{9}$ of one undivided sixth part thereof, so that he is now the owner of One sixth part of said tract of land.

Your Orator now states that he owns one undivided sixth part of said land, that A. L. Loyd, owns a like interest, that said S. P. Daugherty owns a like interest, that M. F. Litten owns $\frac{8}{9}$ of One sixth, that the said heirs of Mariah Burchett dead, owns $\frac{1}{9}$ of One sixth part thereof, that the unknown heirs of Nicholas Daugherty dead owns $\frac{1}{6}$ part thereof, and the heirs of said Dinkens wife, a like $\frac{1}{6}$ part thereof and these are all the persons now interested in the said tract of land.

Your Orator further states that the unknown heirs of the

said Nicholas Daugherty, the unknown heirs of said Dinkens
wife, and the said heirs of Mariah Burchett deceased are
all now residents of the state of Virginia;

Your Orator states that he, and the said Millard F.
Litten own lands adjoining the tract of land referred to,
and the said A. L. Lloyd likewise owns land adjoining that,
and your Orator is advised that a court of equity will,
in cases where it can do so, without prejudice to
the rights of others, so partition lands as to connect them
together, and ⁱⁿ this case your Orator alleges that the
same can be so partitioned as to assign to your Orator
his interest and that of M. F. Litten adjoining each other,
and adjoining their other lands, and to assign ~~to~~
A. L. Lloyd his one interest adjoining his other lands.

The said S. and P. Daugherty own one sixth part of said
tract of land, and this can be laid out to him in
convenient form. And while the residue of said tract
of land is susceptible of a fair partition, yet your
Orator alleges that the interest of the unknown heirs of
the said Nicholas Daugherty dead, and that of the heirs of
said Dinkens and wife, and the heirs of said Mariah
Burchett will be promoted by a sale of their said interest
and your Orator is informed that the heirs of said Burchett
desire their small interest to be sold.

Your Orator states that said land is so situated, that if
said interests are offered for sale, the same will bring
a fair and full price and that the interest of the said
Burchett heirs is so small that if laid out to its self

will become almost worthless, and the other two interests if laid out, will yield but little in the way of rents

Your Orator is advised that he is entitled in a court of equity to have said lands partitioned according to the rights and interests of the parties, or to have the same partly partitioned as herein indicated & the residue sold and to obtain that end is the object of this bill

The premises considered your Orator prays that said A. L. Sayd. Samuel P. Daugherty, Millard F. Lutton, Jasper Burchett, Abigail Burchett, Mary Burchett, James Burchett, George Burchett, Nathaniel C. Burchett, — Keller & Lucy Keller his wife, the unknown heirs at law of Nicholas Daugherty dead & the unknown heirs at law of Solomon Dinkens and Elizabeth Dinkens dead be made defendants to this bill and be required to answer the same truly on Oath. That an order of publication be entered, posted and published against the said Jasper Burchett, Abigail Burchett, Mary Burchett, James Burchett, George Burchett, Nathaniel C. Burchett Keller & Lucy Keller his wife, The unknown heirs of Nicholas Daugherty dead, & the unknown heirs of said Dinkens & wife; And that a guardian ad litem be appointed for the said Burchetts & Keller & wife to defend their interest in this cause, and upon a hearing thereof a decree be entered directing a partition of said lands to be made among the parties according to their rights as herein set out. That your Orator said One Sixth part thereof, and the said M. F. Lutton 8/9 of One sixth of said land be laid off in a body together, and adjoining to their other lands. That the said A. L. Sayd One

Sixth part of said land be laid off to him adjoining his
other lands. That a like One Sixth part be laid off to the
said S. P. Daugherty. a like $\frac{1}{6}$ part thereof to the unknown
heirs of Nicholas Daugherty, dead. a like $\frac{1}{6}$ part thereof
to the unknown heirs of Solomon & Elizabeth Drinkins dead
and One ninth of One sixth part thereof to the said heirs
of Mariah Bushitt, dead And if deemed advisable that
these last three interests be sold. And if in anywise
mistaken in this his Special prayer then your Orator
prays for all general relief May the commonwealth
writ of *Spem* issue directed to.

Henry J. Morgan for Peff

Q 12.20 July 1888
3 1.50
A 15.00
Per 5.00 Paid
Comm 32.00

\$65.70
Q 2.11 Paid
C. 6. 4.43 Paid by [unclear]
\$71.24

D. S. Litton 11.87
A. L. Lloyd 11.87
S. P. Daugherty 11.87
M. H. Litton 10.50
Marion Burdett 1.33
Nicholas Daugherty 11.87
Jim Kinross 11.87
\$71.24

Dixon S. Litton

Bill for Partition

Alex. L. Lloyd

1887, July Bill filed Spa. Eids.
on home ofts + D. W. at the
order publication
against now residents
Aug. D. W. Guff order
Pub. completed &
Cause set for hearing
1888 Mr. Deere final

Free paid by [unclear]
J. R. G.

To the Hon, H. S. K. Morgan Judge of the Circuit
Court of Lee County Virginia;

The Answer of Jasper Burchett, Abigail Burchett
Mary Burchett, James Burchett, George Burchett, Nathaniel
B. Burchett and Keller and Lucy Keller his wife, or
such of them as are infants, who are heirs at law of
Marshall Burchett decd. by John M. Morgan their
guardian ad litem, to a bill exhibited in this Honorable
Court against them and others by D. S. Litten

Respondent says that his said Wards are young
and of tender years and as such are the peculiar
wards of Courts of equity and their interest in this
suit is respectfully committed to your Honors consideration

Respondent says he knows of nothing that he ought
or could allege in delay, or to defeat the plaintiffs
right to have the partition prayed for, nor has his
said Wards or others given him any information on the
subject

Respondent cannot admit that the interest of
his said Wards, will be promoted by a sale of their
interest, nor can he deny that allegation

Respondent has been informed however that his
said Wards desire their interest to be sold, and
the proceeds thereof transferred to them in the western
States where they all reside

Respondent having now answered as fully as deemed
material prays that his said Wards be hence dismissed
John Morgan guardian ad litem

Jasper Burchett + al by
Guardian at return

ad $\frac{2}{3}$ known

Dixon S. Lathum

Filed July Rules 1882
J. A. Hyatt & Co

D. S. Litter

vs
A. S. Lloyd

This cause came on again this day to be heard upon the papers formerly read and the report of John M. Tate, A. S. Wilson, G. S. Lawson & J. H. Graham which has been filed more than ten days before the commencement of court and exceptious thereto and was argued by counsel - One consideration of which and for reasons appearing to the Court said exceptious are overruled except, that the plff has leave to carry from the Spring on said A. S. Lloyd's lot a pipe one inch in diameter across said lot by nearest way two feet under ground, well covered up, so much water as it will contain, over to & on to his own land - But said pipe shall be so laid as not to injure growing crops & the ditch containing the same

shall be filled level & smooth
and so long as the same con-
tinues the jett or shore claim-
supra mentioned shall use the same
shall be kept in such order
as not to injure the lot of the
said land - and said report
is confirmed in all other re-
spect by the clerk of this court
will transmit as part of
this decree ^{as much of} said report &
plat as will show the metes
and bounds of each lot &
the same shall be by the
County Court Clerk recorded
in the books kept by him
for the records of deeds
as the minutes of title
under this order. And each
party shall pay its costs
of this suit in propor-
tion of its interest therein
& no further action being
necessary the cause is stricken
from its docket.

Entered this
April 7th 1888
J. A. M.

Entered this
April 7th 1888
J. A. M.

Dixon S. Lutton

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Alfred L. Lloyd & Others

Puffy

Defts

John Chy

This cause came on this day to be heard on the bill of the puffy and exhibit therewith taken for confessed by the adult defendants. — — — — —

And the answer of the infant defendants by John M. Hagan their guardian ad litem and was argued by counsel —

On consideration of all which it is adjudged ordered and decreed that partition of the tract of land in the bill mentioned ^{be made} pursuant to the prayer of the bill And to attain this end John M. Tate & John Wilson James H. Graham and George S. Dawson — are appointed commissioners to

make said partition who are directed in doing so to take into consideration ^{the buildings & orchard ~~there~~ on said land} the quantity and quality of said

land, and the convenience and incoveniences if any in the location of any of the interests hereafter named, and upon this basis they will assign the plaintiff

one sixth part thereof they will assign the debt to L. Lloyd a like sixth part thereof to F. P. Daugherty, and

sixth part thereof to M. F. Lutton $\frac{1}{9}$ of one sixth part thereof to the heirs of Kenneth Burchett dead $\frac{1}{9}$ of one

sixth part thereof to the unknown heirs of Nicholas Daugherty dead, one sixth part thereof and to the unknown heirs of Solomon & Elizabeth Dickens dead a like sixth

part thereof, and if the same can be done without prejudice to the rights of Others said commissioners

will lay off the puffy interest and that of M. F. Lutton in a body together, and adjoining their other lands And

— — — — —

D. S. Litten

Dec 101

H. L. Lloyd

Entered page 4

C. D. No. 3.

W. H. H. H. H. H.

Recorded in Deed

Book No 28 Page 288

J. W. R. G. W. S. O. R.

H. H. H. H. H.

Aug 31 1871

Recorded for Deed. 288.
Page 18.

On the same principle if they can do so they will
so lay off the interest of said H. L. Lloyd as to give him
other land. And said Commissioners will then
ascertain and report whether or not it will be to the
interest of the Bassett heirs, and the unknown heirs
of Nicholas Daugherty and Dickerson heirs that
their lands be sold, and they will give their reasons
for any opinion they may see proper to express on that
subject, and they will report their action to the court
and the cause is continued.

Virginia

At a Circuit Court continued and
held for the Co, at &c, Aug. 31. 1857.

D. S. Littton

Plaintiff;

vs. The Chcy.

A. L. Lloyd et als

Defts.

+++ In consideration of all which, it is adjudged
ordered, and decreed, that partition of the
tract of land in the bill mentioned be
made pursuant to a prayer of the bill, and
to attain this for. M. Tate, A. J. Wilson, & Jas. L. Graham
and George S. Lawson, are appointed Comrs.
to make said partition, who are directed in
doing so, to take into consideration, the
building and orchard, the quality and quantity
of said land the conveniences, ~~and~~
if any, in the location of any of the interests.
hereafter named, and upon that basis, they
will assign to the Plaintiff one sixth part
thereof, they will assign the Deft. A. L. Lloyd,
a like sixth part thereof, to S. P. Daugherty,
a like sixth part thereof, to W. S. Littton &
of one sixth part thereof, to the heirs of M. Tate
Burchett, and 1/9 of one sixth part thereof, to
the unknown heirs of Nicholas Daugherty, &
one sixth part thereof, to the unknown heirs
of Solomon & Elizabeth Dickerson dead, a like
sixth part thereof. And if the same can

be done without prejudice to the rights
 of others. Said Comrs will lay off, the
 'plaintiffs interest, and that of M. D. Ditton
 in a body together and adjoining their
 other lands. And on the same principles
 if they can do so, they will so lay off
 the interest of, said H. Lloyd as to
 adjoin his other land, and said Comrs.
 will then ascertain. Report whether or not
 it will be to the interest of the Burdett heirs
 and the unknown heirs of Nicholas Doughty
 and Diercks and wife heirs, that their land
 be sold, and they will give their reasons
 for any opinion they may see proper
 to express on that subject. They will
 report their action to this court, and the
 cause is continued.

Register Office 143

D. J. Ditton
 12 1/2
 Copy of Deed
 H. Doughty
 Excused by Ditton
 agent to the estate
 Rice & Doughty & S.

Excused by
 the estate
 D. J. Ditton

D. J. Ditton
 12 1/2
 Copy of Deed
 H. Doughty

D. S. Little

Page

20.

A. L. Lloyd, S. P. Daugherty, M. F. Little, Jasper
Burchett, Abigail Burchett, Mary Burchett,
James Burchett, George Burchett, Nathaniel B.
Burchett. Keller & Lucy Keller his wife

The unknown heirs at law of Nicholas Daugherty decd.

& The unknown heirs of Solomon Dickinson wife decd. & Dfts.

In Chy

I do swear that according to my best information and
belief the above named Jasper Burchett, Abigail Burchett,
Mary Burchett, James Burchett, George Burchett, A. L.
Burchett. — Keller & Lucy Keller his wife, The unknown
heirs at law of Nicholas Daugherty decd. & The unknown heirs
at law of Solomon & Elizabeth Dickinson decd. are not
residents of the state of Virginia so far as I am ad.

Henry J. Morgan

The object of suit is to obtain a
partition of the land in the Will
mentioned among the parties according
to their respective shares and a sale of part
thereof if deemed advisable.

William S. Little

vs { Affiant

H. L. Little

Filed Nov 11/1899
J. C. Wright

J. S. Linton
 vs
 A. S. Lloyd } et al. In Chancery.

Pursuant to an order issued from the circuit court of Lee county Virginia at its August term, relative to the above styled case, and directed to us, we went upon the land in the order mentioned and proceeded to survey and partition the same as follows

First. To find the Boundary lines of the tract of land to be partitioned, we Began at a rock as shown on the plat at red hand, a corner to M. F. Linton's land. Thence with a line thereof S. 19. E. 186 $\frac{3}{4}$ poles to a small Hickory and two rocks on the top of Wallens ridge. Thence along the top of said ridge N. 73. E. 38 poles to a chestnut oak. N. 80. E. 22 poles to a stake near a path N. 39. E. 29 poles to a rock on top of said ridge a corner of A. S. Lloyd's land where two two black oak saplings is called for in Lloyd's deed. Thence leaving the top of said ridge and with Lloyd's line N. 30. W. 191 ¹⁹¹ poles to a rock near Station Creek. S. 60. W. 20 $\frac{3}{4}$ poles to a water gap. S. 80. W. 19 poles to a rock near a large spring, and near the branch thereof. S. 3 $\frac{1}{2}$. E. 2 poles to a rock. Thence S. 78. W. 13. poles to the Beginning containing Eighty-two Acres, and is shown By the accompanying Plat.

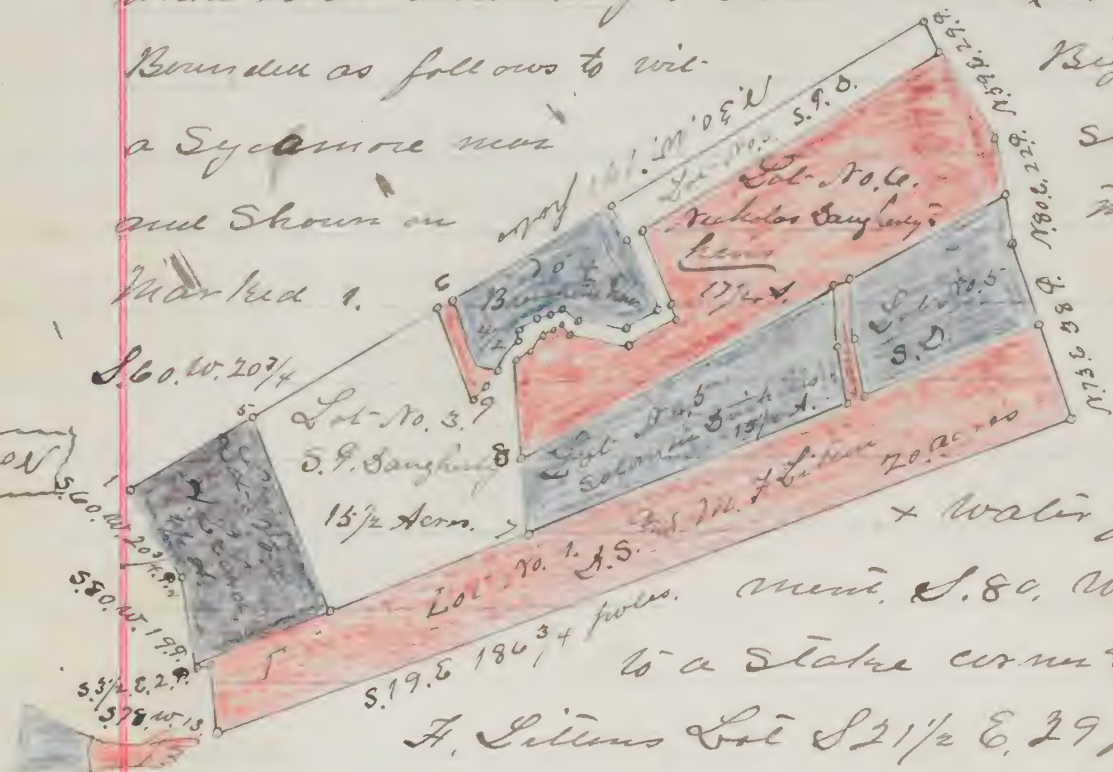
Second.

We then partitioned the land as follows
Lot No. 1. By consent of parties we layed off.
Sixon S. & M. H. Litten interest together and
shown on the Plat- as Lot No. 1, and ringed
red, containing near twenty acres, and bounded
as follows. to wit: Beginning at a rock near
Station Creek on the south side Thence S. $21\frac{1}{2}$ E. 145-
pols to a stake at the water lane and shown
on the plat- Marked lane. N. 81. E. $11\frac{3}{4}$ pols to
a dogwood. Thence N. 88. E. $12\frac{1}{2}$ pols to a stake in
the Spring branch. S. $21\frac{1}{2}$ E. 3 pols to a stake near
the head of the Spring so as to give to Lot No. 1,
one half the Spring and one half its water as
a watering place for stock. Thence S. 88. W. $12\frac{1}{2}$
pols to a stake. S. 81. W. $11\frac{3}{4}$ pols to a stake, -
~~M. H. Litten land and Thence with his line~~
S. $21\frac{1}{2}$ E. 39 pols to a rock on top of Wallens
ridge 21 links of a 30 link chain east of a black
Walnut marked as a corner. Thence S. 73. W. 20
pols to a small hickory and two rocks on top
of Wallens ridge a corner to M. H. Litten's land
Thence with his line N. 19. W. $186\frac{3}{4}$ to a rock
corner of said Litten's land N. 78. E. 13 pols to a
rock. N. $3\frac{1}{2}$ W. 2 pols to a rock near the Beginning
Lot No. 1 contains $\frac{1}{6}$ and $\frac{8}{9}$ of $\frac{1}{6}$ of the whole
Estate.

Lot No. 2, Shown on the plat tinged blue &
red mixed, rather Variegated, and consigned to

a Sycamore near
and shown on

Sec. 10. 20³/₄



South

+ water gap but -

ment. S. 80, No. 19 poles
to a stake corner to S. S. & M.

A. Titans Lat $S 21\frac{1}{2}$ E. 29 poles. 4-a

Stroke at 4. N. 69. E. $43\frac{3}{4}$ fathoms to a stroke on sand

Loyds line at 5. Thence with this line N. 30. W. 29 fols
to the Beginning

Lot No. 3, containing near Sixteen^{4 1/2} Acres
and one sixth part of the whole, and shown
on the plat left white, and consigned to S. P.
Baugherty showing his tillable land in the
large piece, and then a narrow road and water
way, running up to a small strip of timber
This Lot and No. 2, was layed off by the consent
of S. P. Baugherty & A. S. Sayd as Lot No. 1, was
satisfactory with J. S. & M. H. Linn.

Beginning at a stake in A.L. Loyds line, ^{at 5,} S. 30. E. 44.
 To a stake on said Loyds line S. 69. W. 20 poles to a stake
 in the spring branch S. 50. E. 7. to a stake. S. 55. E. 7 poles
 to a stake S. 80. E. 2 poles. S. 30. E. 4 poles. S. 12. E. 3 poles. S. 27. E. 2.
 poles. S. 34. W. 4 poles. S. 8. W. 10 poles S. 80. E. 7 poles.

N. 68, E. 23, fols to a Stake on A. L. Loyd's line
S. 30, E. 74 fols to a rock on top of Wallins
ridge S. 39, W. 7 fols to a chestnut tree & highway
N. 30, W. 71 fols to a Stake, S. 68, W. 16 fols North
30, W. 7 fols. N. 8, E. 10 fols. N. 34, E. 4, fols N. 27 W. 2
fols N. 12, W. 3 fols. N. 30, W. 4 fols. N. 80, W. 2 fols
S. 88, W. 37 fols to a Stake on S. S. & M. F. Lattens
lot and thence with their line N. 21 1/2 W. 44
fols, to a Stake corner to A. L. Loyd S. S. & M. F. Lattens
lot thence with Loyd's line N. 69, E. 43 3/4 fols to
the Beginning. This Lot includes a good Spring
which is assigned to this lot, and lot No. 6,
said Saylorby can fence the head of the Spring
to prevent stock from interfering with it; but
is not to fence the branch up below, that is the
west side of it; lot No. 6, must have free access
to the water below the Spring and down to S. S. &
Saylorby's South line.

Lot No. 4, We consign to Burchetts
heirs, being one ninth of one sixth of the whole
estate equals about four & one half acres,
and bounded as follows to wit: also
shown on the plat No. 4 & tinged blue
Beginning at C. a Stake on A. L. Loyd's line
and also corner of A. L. Loyd's water way, lot No. 7,
S. 69, W. 10 fols to a Stake thence rather a curved
line so as to give grade for stock road to water
to a Stake on the east side of a branch so as not

to be over 6 poles from the North line of the same
water way and to S.P. Daugherty's line and
with his line up same branch and his half-
way S. 55. E. 7 poles. S. 80. E. 2 poles. S. 30. E. 4 poles
S. 12. E. 3 poles. S. 27. E. 2 poles. S. 34. W. 4 poles. S. 8 W. 10 poles
S. 30. E. 7 poles N. 68. E. 23 poles to a stake on A.L. Loyd's
line and thence with same line North. 30. W.
38 1/2 poles to the Beginning. This lot to have
a right of way to S.P. Daugherty's Spring for
family use or the use of Humans only. Stock
of all kinds excluded right of way only to
cross fencing.

Lot No 3. We consign to Solomon Gindins
heirs. being 1/6 part of the whole estate and
contains near fifty acres ^{and one half} and shown
on the ^{Map} Tinged Blue. in two pieces S.S. & M.H.
Lillins water way running through it: and
Marked Lot No. 3. Beginning at a stake ^{at 7} a
corner of S.P. Daugherty's & S.S. & M.H. Lillins lots
S. 2 1/2 E. with Lillins line 114 poles to the top
of the ridge on a rock 21 links of a 30 link
chain east of a walnut, marked as a corner
N. 73. E. 18 poles to a chestnut pole N. 80. E. 10 poles
to a chestnut pole and hickory sprouts near
some large rocks on top of same ridge thence
N. 28. W. 113 poles to a rock on S.P. Daugherty's
lot & line. passing a little east of a small Spring
said Spring to water this lot and No. 7, thence
S. 88. W. 16 poles to the Beginning

This lot- has a water way passing through it-
from lot- No. 1. which is 3 poles wide The
owners of lot- No. 1. may fence up the way but
not to prevent the owners of this lot from passing
through the water way provided they keep up
their fences that the owners of lot No. 1. may
erect. Therefore we connect the lot with only
this privilege of a water way for No. 1.

Lot No. 6. We consign to Nicholas Saugherty's
heirs being $\frac{1}{6}$ part of the whole Estate and
containing about Seventeen & one half acres
Shown on the flat-tinged red and No. 6
Marked to Nicholas Saugherty's heirs, and
Bounded as follows to wit: Beginning at a rock
at- 8 on S. P. Saugherty's line Thence with a line of
lot- No. 3. S. 28, E. 113 poles passing a small spring
to a chestnut-rod & hickory sprouts near some corn
rocks on top of Wallins ridge, N. 80, E. 12 poles
to a stake near a path, N. 39, E. 22 poles to a
chestnut-rod & hickory corner of S. P. Saugherty's
lot: and with his line N. 30 W. 71 poles to a
stake N. 8, E. 10 poles. N. 34, E. 4 poles N. 27, W. 2 poles N. 12, W. 3
poles. N. 30, W. 4 poles. N. 80, W. 2 poles. S. P. Saugherty's corner
Thence still with his line S. 88, W. 23 poles to the
Beginning. The owners of lot No. 6 are to have
running water from the spring on lot No. 3. for
family use, and stock water from the branch
on lot No. 3. consigned to S. P. Saugherty's

This lot must have free access to the branch below the Spring on lot No. 3. and also free access for using water from the Small Spring under the ridge, which waters lot No. 1. & No. 5.

Lot No. 7. We consign to A. L. Loyce in addition to his first lot No. 2 for a watering way to his other lands containing about 65 poles and shown on the plot north of the Small No. 4 lot, from 6, 6, 9. Ingeda red and adjoining No. 3, & 4 lots. Bounded as follows Beginning on Loyce's old line near the figure 6. S. 69. W. 20. poles to a stake on S. P. Gayherdy's line and on the west of a branch thence with said Gayherdy's line S. 50. E. about 6 poles to a stake thence running rather with a curve line about $8\frac{1}{2}$ poles to a stake so as to be just 3 poles from the north line of the water way thence N. 69. E. 10 poles to A. L. Loyce's line and thence with his line N. 30. W. 3 to the Beginning. The owners of lot No. 2 and lot No. 3. to wit A. L. Loyce & S. P. Gayherdy we consign to the owners of lot No. 5. & lot No. 6 four feet of the west-side of said lots Nos. 2. & 3. for a passway to be unobstructed also for the same purpose we consign four feet of the east side of lot No. 1. to lots No. 3. 5. & 6 for a passway to be unobstructed said eight feet of land running along the lines of lots No. 1. 2. 3. are expressly for a road

and nothing else and therefore must be kept unincumbered.

Recapitulation

Lot No. 1. To S. S. & M. F. Litem	20 Acres.
Lot No. 2. " A. L. Loyd.	7 1/2 "
Lot " 3 " S. P. Sanghvi	15 1/2 "
" " 4 " Burchetts heirs	4 1/2 "
" " 5 " Sinkins heirs	15 1/2 "
" " 6 " Nicholas Sanghvi & heirs	18 1/2 "
" " 7 " A. L. Loyd water way	1/2 nearly.
Total	82 Acres

All of which is respectfully submitted with the following bill of costs.

Jms. M. Soli 4 days at \$2.00	\$ 8.00
Jos. H. Graham 3 days at \$2.00	6.00
A. J. Wilson 2 days at \$2.00	4.00
G. S. Lawson 3 " "	\$ 18.00
	6.00
	\$ 24.00

Jms. M. Soli
Jos. H. Graham } Commissioners
A. J. Wilson
G. S. Lawson

In addition to our former report, we now
being notified of the fact that an omission ~~was~~
occurred in said report in regard to whether
or not, it will be to the interest of the Kurakite
heirs and the unknown heirs of Nicholas Sayhert's
and Sinkens & wife heirs that their lands be
Sold &c. We now on the 14th day of Feb.
1888 all being together and concurring, do believe
under all the circumstances connected with
the matter that it ^{will} be to the best interest of
the said Kurakite heirs, the unknown heirs
of Nicholas Sayhert's and Sinkens & wife heirs
to have their lands sold. One reason we
assign for so reporting is the shares are very
small and surrounded by parties we believe
will give fair prices for the shares if they
are offered for sale, and we are also authorized
to report at the instance of A. S. Lloyd, that
S. S. & M. F. Lillien have in addition to what we
first assigned or consigned them a more extensive
watering way at or near the large Spring Beginning
at the corner ^{marked} by us at the first meeting near
M. F. Lillien's rock corner near the mouth of the Spring
branch Thence N. 80. E. 2 poles to a Stake Thence a
straight line crossing the Spring branch so as
to strike the line that divides A. S. Lloyd Lot No. 2.
and S. S. & M. F. Lillien's lot not twenty yards from
the Beginning and Thence back to the Beginning.

Making an angle Base sixty feet altitude
 thirty three feet = 79.8 feet being in addition
 to what we first considered them, and at
 the conclusion also of A. & V. Lodge, a privilege
 is granted to G. S. & M. F. Eaton & the large Spring
 for family use only. State of all things
 exclusively to carry out to do not injure any property.

Respectfully Submitted

Jno. M. Tate
 James H. Graham,
 A. J. Wilson
 G. S. Lowrey

Bill of costs

Jno. M. Tate 2.00
 G. S. Lowrey 2.00
 A. J. Wilson 2.00
 J. H. Graham 2.00
8.00

Virginia Lee County court clerks office May 5th 1855

The foregoing plat and report of partition
 of land together with the decrees thereunto
 was this day filed this office and admitted
 to record.

Teste John R. Gibson Clerk

1855 May 5th 1855

52/82716
 221

J. D. Latham & others
vs.
A. S. Lloyd

Commissioners
Report

Filed Dec 5 1883
J. A. H. F. & Co

Printed in Good Book No.
Pg 281.
L. A. T. Lloyd

Carvers for \$2.50

This contract made and entered
into between Sairy W. Adams
and J. B. F. Mills: Witnesseth
That said Adams agrees to
to ~~move~~ to the newly ~~or~~ ~~and~~
farm in Lee Co. & cultivate
all the corn land he can
for this year & pay said Mills
one third of same on or
before Nov. 1st 1888. Cultivation
are to be in farming order
putting in all he can
in due time & to move
into a small house on
the farm whenever the old
home stead is called for.
& Put in garden &c & Let Mills
have half of the same. Mills
furnishing half of seed or paying
for it. Said Adams is also to
keep up fencing Lake corner
of what crop House Barn &
all the farm generally
& whatever said Mills furnishes
him to make a crop on
said Adams is to pay out of his
crop in the fall at the market
price & he is to deliver for seasons

of said House when called
for by said Mills or his assigns.
Said Adams does hereby give said
Mills a lien on his growing crop
to be paid at said time of
delivery for all said Adams
deb of said Mills, not otherwise
paid for.

Witness the following signatures
& seals.

April 13th 1888

Laurel Adams (Seal)
J. B. T. Mills (Seal)

Attest,

Ella J. Wisely

Mary C. Vesmillion

Virginia Lee County Court Clerk's office June 15th 1888

The foregoing contract between ~~Laurel Adams~~ Adams
& J. B. T. Mills was this day filed in the
office & admitted to record.

Teste John C. Gibson Clerk

Santy Adams
contract
Auris Fund
Lee Co. Va.

Recorded in Clerk's Book

November 23 Page 288

J. R. Gibson Clerk

Examined July 5/1888

1.25 Paid

Mail to Wm. G. G. G.

D. S. Lutton

vs.

A. L. Lloyd & al

Plffs

Def

Deft

The Plaintiff and deft. M. F. Lutton interest in the tract of land sought to be partitioned in the cause having been laid out to them in an orderly manner by the Commissioners who have acted in the cause and have made their report thereon. The said D. S. Lutton & M. F. Lutton have come and sought to the return of said Commissioners in seeking said partition.

- 1 First Because said Commissioners have not by their said partition given them their just and fair proportion of the said land, said land contains about 82 acres and they have divided said land into two parts, one part being only been assigned about 19 acres.
- 2 Secondly Because said land is well supplied with water and they have not got by said partition their due and just proportion of said water & water privileges.
- 3 Thirdly - Because the water privileges which have been given them by said Commissioners on the side of water is very much less than what they are entitled to by the right which the Defendants have been given to crop and re-raise their share of said water privileges, and
- 4 Fourthly Because said Commissioners have not in giving the water and lands of the lot assigned them or others on the south line or north line of said land or divided them in said land by the south line from the north

For these and other reasons to be assigned
at bar Your exceptors pray that said partition
be quashed, and new commissioners appointed
to make said partition

D. S. Litten

M. F. Litten

I do solemnly swear that I verily believe that
the grounds on which the foregoing exceptions are
based, are well founded, and ought to be sustained
so help me god.

Sworn to and subscribed,

Before me by D. S. Litten

Henry J. Mayhew
April 2nd 1888

5. Because lot no 7. or The A. L. Lloyd
share is laid off and assigned to him
entirely in the bottom, the most valuable
land on the farm and on which is sit-
uated a very large spring, and this
spring is given entirely to said Lloyd
to the great damage of the exceptors.
These exceptors claim that they should
have free, absolute and unqualified
right of way to this spring and ground
enough for ingress, egress and regress
without being required to go over other
men's land and without improper
restrictions.

D. S. & M. F. Litten

co 1/2 Exceptions

A. L. Lloyd & others,

Virginia

In the Clerk's Office of the
District Court for Lee County,
on Monday, the 13th June 1887.

Dixon & Litter

Plff.

vs
In Chancery

vs
Libertors Defs

The object of this suit is to obtain
a partition of the land in the Will
mentioned belonging to Siriah Danpherty
at the time of his death among
those entitled thereto, and a sale
of a part thereof if deemed advis-
able:— And it appearing from an
affidavit filed in this cause that
the defendants Jasper Burkhett, Abigail
Burkhett, Mary Burkhett, James Burkhett,
George Burkhett, N. C. Burkhett, and
Heller & Lucy Heller his wife, the daughters
heirs at law of Nicholas Danpherty deceased
and the unknown heirs at law of Solomon
and Elizabeth Danpherty deceased, are now
residents of this State:— It is therefore
ordered that they appear here within
one month after due publication of this
order and do what may be necessary
to protect their interest in the suit.

4 Copies

H. J. Morgan & Co.

Leete & Litter & Co.

Dixons S. Litton
vs ³/₄ Order Sub.
A. L. Loyd et al

I certify that
I delivered to the
Virginia Herald
an office copy of
this order for
Publication and
posted a like
copy at the front
door of Lee Ct.
at the June Term
1887 of the County
Court.

J. A. Hyatt

Jonesville Va Aug 22/87,
 I Jaff Duff Publisher of the
 Virginia Herald, a weekly news
 paper, published in Jonesville
 Lee County Va do certify that
 the annexed Chancery order
 appeared four successive
 weeks in said paper end-
 ing July 15th 1887.
 Jaff Duff
 Publication Fee \$5.00

VIRGINIA: In the clerk's office of the
 circuit court for Lee county, on Monday
 the 13th, June 1887.

Dixon S. Litton Plt. }
 vs. } In Chy.
 A. L. Loyd & Others Dfts.

The object of this suit is to obtain a
 partition of the land in the bill mention-
 ed, belonging to Isaiah Daugherty at the
 time of his death among those entitled
 thereto, and a sale of apart thereof if
 deemed advisable. And it appearing from
 an affidavit filed in this cause that the
 defendants Jasper Burchett, Abigail Bur-
 chett, Mary Burchett, James Burchett,
 George Burchett, N. C. Burchett, and—
 Keller and Lucy Keller his wife. The
 unknown heirs at law of Nicholas Daugh-
 erty deceased and the unknown heirs at
 law of Solomon and Elizabeth Dinkens
 deceased, are non-residence of this State.
 It is therefore ordered that they appear
 here within one month after due publi-
 cation of this order and do what may be
 necessary to protect their interest in this
 suit. A copy Test.

J. A. G. HYATT, C. C.
 H. J. Morgan, p. q.

N. S. Lillies
V. S. ^{3rd Pub} Certificate
A. L. Lloyd & others

Order of Publication

Pub fee \$500

H. J. M. P. Q.

1000

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon

*A. L. Loyd, Samuel P. Daugherty,
Millard F. Littow, Jasper Burchett, Abigail Burchett, Mary
Burchett, James Burchett, George Burchett, Nathaniel C.
Burchett, John Keller & Lucy Keller, The unknown heirs at law of
Nicholas Daugherty and The unknown heirs at law
of Solomon and Elizabeth Dickson*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House
on the first Monday in *July* next, being Rule Day, to answer a
Bill in Chancery exhibited in our Court against *them*, by *Orion*

S. Littow

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said
Court, at the Court House, this *11th* day of *June* 188*7* in
the 1*1* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste:

(O. J. M.)

Dixon S. Litton

no 3 Spain Chey

Thos. L. Loyd et al

So July Rules 1887

Executed by deliver-
ing office Copies of
this Spa to M. F.
Litton, A. Lloyd
& S. D. Daugherty
June 29 1887

R. D. Flanagan
S. L. L.